

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 10160 of 2004

Between:

Budde Venkatesham S/o late Balraj
R/o 4-5-93, Jawahar Road, Nizamabad

..... PETITIONER

AND

- 1 The Mandal Revenue Officer, Nizamabad
- 2 The Joint Collector, Collectorate, Nizamabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or order pertaining one in the nature of Writ of Mandamus, declaring the action of the respondents in not implementing the order passed by the court of the Joint Collector at Nizamabad in Case No. D2/13/2003 dt.6-5-2004 as illegal, arbitrary and consequently direct the respondents to remove the entries made on the file No. 94/ROR/1989 dt.4-4-1991 made by the 1st respondent and to incorporate the name of original pattedar in the revenue records as directed in case No D2/13/2003 dt.6-5-2004.

Counsel for the Petitioner: MR.N.SUBBA RAO

Counsel For the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for Revenue and with their consent the Writ Petition itself is taken up for final disposal at the admission stage.

In this Writ Petition, the petitioner seeks to declare the action of the first respondent in not implementing the order passed by the second respondent-Joint Collector, Nizamabad in Case No.D2/13/2003, dt.6.5.2004 as illegal and consequently to direct the first respondent to incorporate the name of the original pattadar in the revenue records as directed by the second respondent by order, dated 6-5-2004.

The petitioner claims to be one of the owners of the land to a total extent of Ac.1-02 guntas situated in survey Nos.209 and 211 of Nizamabad. It is alleged that the petitioner and others filed applications dated 1-2-1987 and 2-8-1987 before the first respondent for mutation of their names in the revenue records in respect of the said lands, but instead of incorporating their names, the first respondent incorporated the names of Bobbili Peda Narsaiah and others. Aggrieved thereby, they preferred a

revision before the second respondent-Joint Collector, who by order dated 6-5-2004 directed mutation of the name of the original pattadar in the revenue records. Though more than one and a half month elapsed, the first respondent has not implemented the order of the second respondent. Assailing the inaction of the first respondent in implementing the order of the second respondent, dated 6-5-2004, the present writ petition is filed.

It is submitted by the learned Government Pleader for Revenue that the first respondent has already implemented the order of the second respondent by incorporating the name of the original pattadar in ROR Form-I and the current year pahani, on 14-6-2004. In view of the same, no further orders are necessary in this writ petition.

Recording the above statement of the learned Government Pleader for Revenue, the writ petition is dismissed. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, Collectorate, Nizamabad.
2. The Mandal Revenue Officer, Nizamabad.
3. 2CCs to G.P. for Revenue.
4. 2CD copies